

PATENT
Docket No.: 2354/141

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Melrose et al.

Serial No. : 10/053,088

Cnfrm. No. : 6479

Filed : January 18, 2002

For : ANTIMICROBIAL POLYMERIC
COMPOSITIONS AND METHOD
OF TREATMENT USING THEM

Examiner:
Preeti Kumar

Art Unit:
1751

REQUEST FOR RECONSIDERATION

Mail Stop AF
Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Office Action mailed November 17, 2006, for the above-identified application, applicants respectfully request reconsideration of the rejection set forth therein and withdrawal of finality for the reasons presented below.

As noted at page 7 of the preceding amendment, dated August 30, 2006, applicants re-introduced the subject matter of prior claim 1 (from the amendment dated May 31, 2005) due to the retraction of allowability by the U.S. Patent and Trademark Office ("PTO"). In other words, claim 48 as presented with the amendment dated August 30, 2006, is identical to claim 1 as it existed on May 31, 2005.

With the outstanding office action, the PTO has rejected the subject matter of claim 48 for the first time over PCT Application WO 96/38186 to Melrose ("Melrose I"). Melrose I was cited by the applicants in an information disclosure statement filed on February 16, 2004. Thus, the PTO could have rejected the subject matter of claim 48 in the office actions dated November 30, 2004, and August 25,

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